

CLERK  
U.S. BANKRUPTCY COURT  
EASTERN DISTRICT OF TEXAS

UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

90 SEP 28 PM 12:51

CLERK, U.S. BANKRUPTCY  
COURT

BY WJ DEPUTY

IN RE  
Wiseman, Helen Forrest  
Wiseman, Joseph Lacy

§  
§  
§  
§  
§

CASE NO. 98-40059-DRS  
CHAPTER 7

DEBTOR(S).

**TRUSTEE'S FINAL REPORT, APPLICATION FOR  
COMPENSATION, AND REPORT OF PROPOSED DISTRIBUTION**

Mark A. Weisbart, Trustee of the estate of the above-named Debtor(s), certifies to the Court and the United States Trustee, that the Trustee has faithfully and properly fulfilled the duties of the office of the Trustee, that the Trustee has examined all proofs of claim as appropriate under the proposed distribution, and that the proposed distribution, attached hereto, is proper, and consistent with the law and rules of the Court. The Trustee applies for commissions and expenses set forth herein and states that they are reasonable and proper.

Therefore, the Trustee requests that the Final Report, Application for Compensation, and Report of Proposed Distribution be approved.

DATE: 08/19/99

Mark A. Weisbart

Mark A. Weisbart, Trustee  
Texas Bar No. 21102650  
8117 Preston Road  
700 Preston Commons West  
Dallas, TX 75225  
(214) 373-2810; Fax (214) 373-0241  
CHAPTER 7 TRUSTEE

\*\*\*\*\*

**REVIEWED BY THE UNITED STATES TRUSTEE**

I have reviewed the Trustee's Final Report, Application for Compensation, and Report of Proposed Distribution.

UNITED STATES TRUSTEE  
EASTERN DISTRICT OF TEXAS

Date: 9-24-99

By: JLU

29

**UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

IN RE	§	
Wiseman, Helen Forrest	§	
Wiseman, Joseph Lacy	§	CASE NO. 98-40059-DRS
	§	CHAPTER 7
DEBTOR(S).	§	

**TRUSTEE'S FINAL REPORT, APPLICATION FOR COMPENSATION AND  
APPLICATION TO CLOSE CASE AND DISCHARGE TRUSTEE**

The Trustee of the estate presents the following Final Report:

1. The Trustee applies for commissions and expenses set forth in Schedule A and states: That they are reasonable and proper, that in the course of the performance of duties, the Trustee has advanced monies from personal funds for expenses, and that the Trustee has not been reimbursed or indemnified.
2. The Trustee submits Form I as a summary of the assets and an estate record. Any property scheduled under 11 U.S.C. §521(1) and not administered shall be deemed abandoned pursuant to 11 U.S.C. §554(c).
3. The Trustee has reduced all assets of this estate to cash or otherwise lawfully disposed of them and the estate is ready to be closed.
4. The Trustee submits Form II as the account of the estate cash receipts and disbursements.
5. There is no agreement or understanding between the Trustee and any other person for a division of the compensation sought by this application except as permitted by the Bankruptcy Code.
6. The Trustee requests approval of this Final Report.
7. The Trustee has examined each and every claim filed and noted his approval of claims as filed, or he has filed objections to allowances or requests for reclassification.

**TRUSTEE'S FINAL REPORT, APPLICATION FOR COMPENSATION  
AND APPLICATION TO CLOSE CASE AND DISCHARGE TRUSTEE - Page 1**

8. The Trustee further requests that after final distribution of all monies in accordance with the Trustee's Report of Final Distribution, and upon filing of a Supplemental Final Report and Account and certification by the U.S. Trustee, the Trustee be discharged from office and the case be closed.

I declare under penalty of perjury that this report and attached Schedules are true and correct to the best of my knowledge.

DATED: 8-19, 1999.

  
\_\_\_\_\_  
MARK A. WEISBART, CHAPTER 7 TRUSTEE

**SCHEDULE A-1**

FINAL ACCOUNT AS OF August 19, 1999

A. RECEIPTS \$25,303.86

B. DISBURSEMENTS

(1) Secured Creditors	\$ + <u>0.00</u>
(2) Administrative	\$ + <u>0.00</u>
(3) Priority	\$ + <u>0.00</u>
(4) Other-Debtors' exempt property	\$6,765.00
(5) Closing Costs	\$2,569.05

TOTAL DISBURSEMENTS \$9,334.05

CURRENT BALANCE \$15,969.81

TRUSTEE'S FINAL REPORT CASE SUMMARY

TRUSTEE:

WEISBART

COMMENTS:

CASE NAME:

WISEMAN, HELEN/JOSEPH

CASE NUMBER:

98-40059

DATE UST APPROVED:

09-24-99

ESTATE INCOME:

TOTAL RECEIPTS:

\$25,303.86

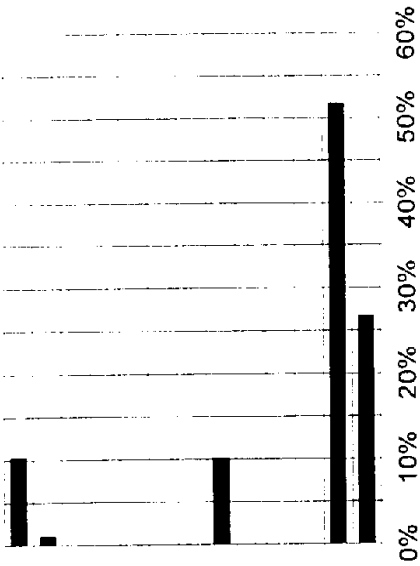
100.00%

ESTATE EXPENSES:

TRUSTEE'S COMMISSION  
TRUSTEE'S EXPENSES  
FIRM'S PROFESSIONAL FEES  
FIRM'S PROFESSIONAL EXPENSES  
OTHER ATTORNEY FEES  
OTHER PROFESSIONAL FEES  
COURT COSTS  
ESTATE EXPENSES(TAXES, ETC)  
PRIOR CHAPTER COSTS  
SECURED CLAIMS PAID  
PRIORITY CLAIMS PAID  
UNSECURED CLAIMS PAID  
OTHER(RETURN TO DEBTOR, ETC)

2,603.89  
260.76  
0.00  
0.00  
0.00  
0.00  
0.00  
2,569.05  
0.00  
0.00  
0.00  
13,105.16  
6,765.00

10.29%  
1.03%  
0.00%  
0.00%  
0.00%  
0.00%  
0.00%  
10.15%  
0.00%  
0.00%  
0.00%  
51.79%  
26.74%



UNSECURED CLAIMS  
ALLOWED

41,587.95

UNSECURED CLAIMS  
PAID

13,105.16

PERCENT RECOVERED  
FOR UNSECURED

31.51%

## INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT

## ASSET CASES

Case No: 98-40059 DRS Judge: Donald R. Sharp  
Case Name: Wiseman, Helen Forrest  
Wiseman, Joseph Lacy  
For Period Ending: 08/19/99

Trustee Name: Mark A. Weisbart, Trustee  
Date Filed (f) or Converted (c): 01/07/98 (f)  
341(a) Meeting Date: 02/06/98  
Claims Bar Date: APPLIED FOR

1	2	3	4	5	6	7	8
Asset Description (Scheduled and Unscheduled (u) Property)	Petition/ Unscheduled Values	Est Net Value (Value Determined by Trustee, Less Liens, Exemptions, and Other Costs)	Property Abandoned OA=\$54(a) DA=\$54(c)	Sale/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets	Lien Amount	Exempt Amount
1. Homestead	75,000.00	0.00		0.00	0.00	75,480.00	6,765.00
2. Real estate 5 acres; Rockbridge County, Virginia Selling Price \$25,000	15,000.00	18,235.00		25,000.00	0.00		
3. Cash on Hand	20.00	0.00		0.00	0.00		20.00
4. Cash in Bank Accounts	35,000.00	0.00		0.00	0.00	25,165.00	9,835.00
State Savings Bank; Certificate of Deposit							
5. Household Furniture and Goods	3,000.00	0.00		0.00	0.00		3,000.00
6. Clothing	500.00	0.00		0.00	0.00		500.00
7. Furs and Jewelry	200.00	0.00		0.00	0.00		200.00
8. Firearms, Sport Equip., Pers.	200.00	0.00		0.00	0.00		200.00
9. IRA, 401 K, Retirement Benefit	32,735.00	0.00		0.00	0.00	11,500.00	21,235.00
401k Luminator							
10. Automobiles	1,500.00	0.00		0.00	0.00		1,500.00
1986 Ford F150 Pickup							
11. Automobiles	4,000.00	0.00		0.00	0.00		4,000.00
1992 Ford Explorer							
12. Tools & Equipment	2,000.00	0.00		0.00	0.00		2,000.00
13. Post-Petition Interest Deposits (u)	0.00	N/A		237.16	FA		
TOTALS (Excluding Unknown Values)		\$169,155.00	\$18,235.00	\$25,237.16	Gross Value of Remaining Assets		49,255.00
					\$0.00		112,145.00
					(Total Dollar Amount in Column 6)		

Major activities affecting case closing which are not reflected above, and matters pending, date of hearing or sale, and other action:

Initial Projected Date of Final Report (TFR): 12/01/99

Current Projected Date of Final Report (TFR): / /

FORM 1

INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT

ASSET CASES

Case No: 98-40059 DRS Judge: Donald R. Sharp

Case Name: Wiseman, Helen Forrest  
Wiseman, Joseph Lacy

  
\_\_\_\_\_  
Mark A. Weisbart, Trustee

Date: 08/19/99

Trustee Name: Mark A. Weisbart, Trustee

Date Filed (f) or Converted (c): 01/07/98 (f)

341(a) Meeting Date: 02/06/98

Claims Bar Date: APPLIED FOR

## FORM 2

## ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Page: 1

Case No: 98-40059 DRS  
Case Name: Wiseman, Helen Forrest  
Taxpayer ID No: 75-6531376  
For Period Ending: 08/19/99

Trustee Name: Mark A. Weisbart, Trustee  
Bank Name: NationsBank, N.A.  
Account Number: 3753819956 GENERAL SAVINGS

Blanket Bond (per case limit): \$ 300,000.00  
Separate Bond (if applicable):

1	2	3	4	5	6	7	8	9	10
Transaction Date	Check or Reference	Paid To / Received From	Description Of Transaction	Deposits (\$)	Interest (\$)	Checks (\$)	Adjustments (\$)	Transfers (\$)	Account Balance (\$)
10/13/98	2	Malcolm G. Crawford 15 S. Jefferson St. Lexington, VA 24450	Proceeds from Sale/Real Proper	22,430.95					22,430.95
10/30/98		NATIONS BANK	INTEREST REC'D FROM BANK		18.98				22,449.93
11/30/98		NationsBank, N.A.	INTEREST REC'D FROM BANK		47.72				22,497.65
12/31/98	13	NationsBank, N.A.	INTEREST REC'D FROM BANK		47.82				22,545.47
01/07/99		Transfer to Acct #3753820042	Bank Funds Transfer						15,770.47
01/29/99	13	NationsBank, N.A.	INTEREST REC'D FROM BANK		34.14			-6,775.00	15,804.61
02/26/99	13	NationsBank, N.A.	INTEREST REC'D FROM BANK		30.34				15,834.95
03/31/99	13	NationsBank, N.A.	INTEREST REC'D FROM BANK		35.83				15,870.78
04/30/99	13	NationsBank, N.A.	INTEREST REC'D FROM BANK		32.64				15,903.42
05/28/99	13	NationsBank, N.A.	INTEREST REC'D FROM BANK		30.53				15,933.95
06/23/99	13	NationsBank, N.A.	INTEREST REC'D FROM BANK		25.86				15,959.81
06/23/99		Transfer to acct #3753820042	Final Posting Transfer					-15,959.81	0.00

Account 3753819956	Balance Forward	0.00	0 Checks	0.00
1 Deposits	22,430.95	0 Adjustments Out	0.00	0.00
9 Interest Postings	303.86	2 Transfers Out	22,734.81	
Subtotal	\$ 22,734.81	Total	\$ 22,734.81	
0 Adjustments In	0.00			
0 Transfers In	0.00			
Total	\$ 22,734.81			



## ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 98-40059 DRS  
 Case Name: Wiseman, Helen Forrest  
 Wiseman, Joseph Lacy

Taxpayer ID No: 75-6531376

For Period Ending: 08/19/99

Trustee Name: Mark A. Weisbart, Trustee  
 Bank Name: NationsBank, N.A.  
 Account Number: 3753820042 GENERAL CHECKING

Blanket Bond (per case limit): \$ 300,000.00

Separate Bond (if applicable):

1	2	3	4	5	6	7	8	9	10
Transaction Date	Check or Reference	Paid To / Received From	Description Of Transaction	Deposits (\$)	Interest (\$)	Checks (\$)	Adjustments (\$)	Transfers (\$)	Account Balance (\$)
01/07/99		Transfer from Acct #3753819956	Bank Funds Transfer						6,775.00
01/07/99	000101	Helen and Joseph Wiseman 3328 Wentworth St. Plano, TX 75075	Debtor's Share of sales procee Per court order dated 12/29/98			6,765.00			10.00
06/23/99		Transfer from Acct #3753819956	Transfer In From MMA Account					15,959.81	15,969.81

Account 3753820042	
Balance Forward	0.00
0 Deposits	0.00
0 Interest Postings	0.00
Subtotal	\$ 0.00
0 Adjustments In	0.00
2 Transfers In	22,734.81
Total	\$ 22,734.81
1 Checks	6,765.00
0 Adjustments Out	0.00
0 Transfers Out	0.00
Total	\$ 6,765.00

Report Totals	Balance Forward	0.00		
	1 Deposits	22,430.95		
	9 Interest Postings	303.86		
	Subtotal	\$ 22,734.81		
	0 Adjustments In	0.00		
	2 Transfers In	22,734.81		
	Total	\$ 45,469.62		
	1 Checks	6,765.00		
	0 Adjustments Out	0.00		
	2 Transfers Out	22,734.81		
	Total	\$ 29,499.81		
	Net Total Balance	\$ 15,969.81		

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF TEXAS**

In Re:  
Helen Forrest Wiseman  
Joseph Lacy Wiseman  
Debtor(s)

Case No: 98-40059 drs  
Chapter: 7

**BILL OF COURT COSTS**

To: **Mark Weisbart**  
**700 Preston Commons West**  
**8117 Preston Road**  
**Dallas, TX 75225**

Notice is hereby given that court costs (and deferred adversary filing fees, if applicable) are due and owing, pursuant to 28 USC Section 1930, in the above case in the amount of **\$0**.

These costs are itemized as follows:

**NOTICES**

\$ .25 per notice in excess of 50 notices mailed prior to 1/1/87.	<b>\$0</b>
\$ .50 per notice for all notices mailed 1/1/87 between 1/1/98.	<b>\$0</b>

**NOTE:** For Chapter 7 cases filed after 12/1/92, there will be NO NOTICE FEES.  
(Do Not Bill for \$.50 per notice)

**NOTE:** For all other chapters filed after 1/1/98, there will be NO NOTICE FEES. (Do Not Bill for \$.50 per notice)

**PROCESSING CLAIMS**

**NOTE:** Eliminated is the fee of \$.25 for clerical processing of each claim in excess of 10 in cases filed under the Act or Code.

**DEFERRED ADVERSARY FILING FEES**

**0** Chapter 7 Adversary Proceeding filed @ \$120.00/150.00 each. **\$0**

**NOTE:** For all Adversary Proceedings filed after 12/18/96 the filing fee is \$150.00.

**TOTAL AMOUNT DUE** **\$0**

Check to be made payable to Clerk, U.S. Bankruptcy Court

Date: **June 23, 1999**

JAMES D. TOKOPH  
Clerk of Court

By: *Leticia Horridge*  
Deputy Clerk

**NOTE:** For Chapter 11 Cases Only: Court costs are due on or before the confirmation hearing. The Judge will confirm that these cases have been paid at the hearing.

**SCHEDULE B**

**APPLICATION FOR COMPENSATION**

**COMPUTATION OF COMMISSIONS (cases filed after 10/94)**

Total Receipts			\$18,538.86*
	<u>\$18,538.86</u>	25% of First \$5,000	<u>\$1,250.00</u>
Less	-5,000.00	(\$1,250 Maximum)	
Balance	<u>\$13,538.86</u>	10% of Next \$45,000	<u>\$1,353.89</u>
Less	-45,000.00	(\$4,500 Maximum)	
Balance	<u>\$0.00</u>	5% of Next \$950,000	<u>\$0.00</u>
Less	-950,000.00	(\$47,500 Maximum)	
Balance	<u>0.00</u>	3% of Balance	<u>\$0.00</u>
TOTAL COMMISSION			<u>\$2,603.89</u>

**UNREIMBURSED EXPENSES**

Photocopy/Duplication Expense	<u>\$45.00</u>
Facsimile	<u>\$34.00</u>
PACER claims (imported)	<u>\$1.20</u>
Paralegal Expense	<u>\$143.00</u>
Postage	<u>\$37.56</u>
TOTAL UNREIMBURSED EXPENSES	<u>\$260.76</u>

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\*Total receipts of \$25,303.86 less exempt portion of \$6,765.00.

**Records:**

Trustee did not take possession of business or personal records of the debtor.

  X  

Notice of intent to abandon books and records of debtor filed on

**SCHEDULE C**

**EXPENSES OF ADMINISTRATION**

	(1) Amount Claimed	(2) Amount Allowed	(3) Previously Paid	(4) Due
	\$	\$	\$	\$
1. 11 U.S.C. Sec.507(a)(1) <u>Court Costs and Fees</u>	0.00	0.00	0.00	0.00
2. 11 U.S.C. Sec.503(b)(1)(A) <u>Preservation of estate</u>	0.00	0.00	0.00	0.00
A. Transportation	0.00	0.00	0.00	0.00
B. Storage	0.00	0.00	0.00	0.00
C. Wages	0.00	0.00	0.00	0.00
D. Estate Share FICA	0.00	0.00	0.00	0.00
E. Insurance	0.00	0.00	0.00	0.00
F. Upkeep	0.00	0.00	0.00	0.00
G. Others - Closing Costs (See Sched. C-2)	2,569.05	0.00	2,569.05	0.00
3. 11 U.S.C. Sec. 503(b)(2) <u>Post-Petition taxes and related penalties</u>	0.00	0.00	0.00	0.00
4. 11 U.S.C. Sec. 503(b)(2) <u>Compensation and Reimbursement</u>				
A. Compensation of Trustee	2,603.89	2,603.89	0.00	2,603.89
B. Expenses of Trustee	260.76	260.76	0.00	260.76
5. Court Special Charges (Excess Notices)	0.00	0.00	0.00	0.00
6. U.S. Trustee fees	0.00	0.00	0.00	0.00
7. Other (list)	0.00	0.00	0.00	0.00
TOTALS:	<u>\$5,433.70</u>	<u>\$2,864.65</u>	<u>\$2,569.05</u>	<u>\$2,864.65</u>

**SCHEDULE C-2**

Expenses incurred in connection with the sale of real property

\$2,569.05

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<u>Title Insurance Policy</u>	\$0.00
<u>Escrow Fee</u>	\$0.00
<u>Realtor's Fee</u>	\$2,500.00
<u>Taxes</u>	\$28.05
<u>Recording Fee</u>	\$16.00
<u>Grantor's Tax</u>	\$25.00

**SCHEDULE D**

**SECURED CLAIMS**

Claim No.	Amount Claimed	Amount Not Determined	Amount Allowed	Previously Paid	Due

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**IDENTIFICATION OF SECURED PARTIED AFFECTED:**

Claim No.	Name of Creditor	Claim No.	Name of Creditor

**SCHEDULE E**

PRIORITY CLAIMS OTHER THAN ADMINISTRATIVE EXPENSES IN THE  
FOLLOWING ORDER OF PRIORITY

	(1) Amount Claimed	(2) Amount Allowed	(3) Previously Paid	(4) Due
	\$	\$	\$	\$
1. For Credit extended Sec. 364(a)(1)	0.00	0.00	0.00	0.00
2. Claims from failure of "adequate protection" Sec. 307(a)(b)	0.00	0.00	0.00	0.00
3. "Gap Claims" Sec. 507(a)(2)	0.00	0.00	0.00	0.00
4. Wages, etc. Sec. 507(a)(3)	0.00	0.00	0.00	0.00
5. Contributions to benefit plans Sec. 507(a)(4)	0.00	0.00	0.00	0.00
6. Consumer deposits Sec. 507(a)(6)	0.00	0.00	0.00	0.00
7. Alimony/Child Support Sec. 507(a)(7)	0.00	0.00	0.00	0.00
8. Taxes Sec. 507(a)(8)	0.00	0.00	0.00	0.00
9. Other: No Basis				
TOTALS:	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>

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**PRIORITY PARTIES AFFECTED:**

Claim No.	Name of Creditor	Claim No.	Name of Creditor
_____	_____	_____	_____

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FILED UNSECURED CLAIMS TOTAL: \$41,587.95

SUBORDINATE UNSECURED CLAIM: \$

## Compensation and Expenses Worksheet

**Case Number: 98-40059 DRS**

**Debtor: Wiseman, Helen Forrest**

### 1. COMPUTATION OF COMPENSATION

Total disbursements to other than the debtor are:

Pursuant to 11 U.S.C. § 326, compensation is computed as follows:			\$18,538.86
	\$18,538.86	25% of First \$5,000	\$1,250.00
Less -	\$5,000.00	(\$1,250 Maximum)	
Balance	\$13,538.86	10% of Next \$45,000	\$1,353.89
Less -	\$13,538.86	(\$4,500 Maximum)	
Balance	\$0.00	5% of Next \$950,000	\$0.00
Less -	\$0.00	(\$47,500 Maximum)	
Balance	\$0.00	3% of Balance	\$0.00

TOTAL COMPENSATION CALCULATED:	\$2,603.89
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Less Previously Paid Compensation:	\$0.00
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TOTAL COMPENSATION REQUESTED:	\$2,603.89
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### 2. TRUSTEE EXPENSES

The Trustee has incurred the following expenses:

09/03/98	POST: Postage 1 charge @ 5.65 / charge	\$5.65
10/06/98	COPY: Photocopy/Duplication Expense 1 @ 10.00 Outside photocopy service expense.	\$10.00
10/06/98	POST: Postage 1 charge @ 23.27 / charge	\$23.27
10/13/98	PARA: Paralegal Expense 0.5 @ 65.00 Set up banking file and prepare initial deposit.	\$32.50
11/30/98	POST: Postage 1 charge @ 8.64 / charge	\$8.64
01/07/99	PARA: Paralegal Expense 0.2 @ 65.00 Prepare and mail check.	\$13.00
01/31/99	FAX: Facsimile 1 @ 34.00	\$34.00
06/23/99	PACER: PACER claims (imported) 2 @ 0.60	\$1.20
08/13/99	COPY: Photocopy/Duplication Expense 100 pages @ 0.20 / page Copy final report and bank statements.	\$20.00
08/13/99	COPY: Photocopy/Duplication Expense 75 pages @ 0.20 / page Copy supplemental final report and any remaining bank statements.	\$15.00
08/13/99	PARA: Paralegal Expense 1 @ 65.00 Prepare final report.	\$65.00



## Compensation and Expenses Worksheet

Case Number: 98-40059 DRS

Debtor: Wiseman, Helen Forrest

08/13/99 PARA: Paralegal Expense 0.5 @ 65.00 \$32.50  
Prepare supplemental final report.

### Expense Summary

COPY: Photocopy/Duplication Expense 1 @ 10.00 \$10.00  
COPY: Photocopy/Duplication Expense 175 pages @ 0.20 / page \$35.00  
FAX: Facsimile 1 @ 34.00 \$34.00  
PACER: PACER claims (imported) 2 @ 0.60 \$1.20  
PARA: Paralegal Expense 2.2 @ 65.00 \$143.00  
POST: Postage 1 charge @ 5.65 / charge \$5.65  
POST: Postage 1 charge @ 8.64 / charge \$8.64  
POST: Postage 1 charge @ 23.27 / charge \$23.27

TOTAL EXPENSES CALCULATED: \$260.76

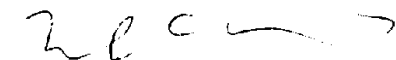
Less Previously Paid Expenses: \$0.00

TOTAL EXPENSES REQUESTED: \$260.76

TOTAL EXPENSES AND COMPENSATION REQUESTED: \$2,864.65

DATED: 08/19/99

SIGNED



TRUSTEE: Mark A. Weisbart, Trustee

8117 Preston Road

700 Preston Commons West

Dallas, TX 75225

EXHIBIT A  
ANALYSIS OF CLAIMS REGISTER

Case Number: 98-40059

Debtor Name: Wiseman, Helen Forrest

Page 1

Claim Class Sequence

Date: August 19, 1999

Code #	Creditor Name & Address	Claim Class	Notes	Scheduled	Claimed	Allowed
3	MARK IV SAVINGS & RETIREMENT	Secured				
120	PLAN					
120	P.O. BOX 810		Order disallowing	\$0.00	\$11,011.35	\$0.00
	AMHERST NY 14226-0810					
	FORT LEE, NJ 07024-0349					
Subtotal for Class Secured				\$0.00	\$11,011.35	\$0.00
1	CHASE MANHATTAN BANK U.S.A.	Unsecured				
400	100 DUFFY AVENUE			\$0.00	\$12,030.78	\$12,030.78
400	HICKSVILLE NY 11801					
2	NATIONSBANK OF DELAWARE N.A.	Unsecured				
400	C/O P.O. BOX 2278			\$0.00	\$11,950.11	\$11,950.11
400	NORFOLK VA 23501-2278					
4	AMERICAN EXPRESS CENTURION	Unsecured				
400	BANK			\$0.00	\$66.18	\$66.18
400	C/O BECKET & LEE					
	P.O. BOX 3001					
	MALVERN, PA 19355-0701					
5	MBNA AMERICA BANK, N.A.	Unsecured				
400	P.O. BOX 15725 MS 1401		Order disallowing	\$0.00	\$17,540.88	\$0.00
400	WILMINGTON, DE 19885-15725					
6	MBNA AMERICA BANK, N.A.	Unsecured				
400	P.O. BOX 15725 MS 1401			\$0.00	\$17,540.88	\$17,540.88
400	WILMINGTON, DE 19885-15725					
Subtotal for Class Unsecured				\$0.00	\$59,128.83	\$41,587.95
Case Totals:				\$0.00	\$70,140.18	\$41,587.95
Code #: Trustee's Claim Number, Priority Code, Claim Type						

~~EASTERN DISTRICT OF TEXAS~~  
CLAIMS REGISTER

06/23/99      Last Date to File Claims: 05/07/98      98-40059 drs      Page 1  
Last Date to File Claims for Governmental Unit: 07/06/98  
Helen Forrest Wiseman  
Joseph Lacy Wiseman

Name and Address of Claimant	Amount of Claims Filed and Allowed	Remarks
No: 1      Filed: 01/29/98 Chase Manhattan Bank U.S.A. 100 Duffy Avenue Hicksville NY 11801	Filed Amt: 12,030.78 g	
No: 2      Filed: 02/04/98 NationsBank of Delaware N.A. c/o P.O. Box 2278 Norfolk VA 23501-2278	Filed Amt: 11,950.11 g	
No: 3      Filed: 03/23/98 Mark IV Savings & Retirement Plan P.O. Box 810 Amherst NY 14226-0810 Fort Lee, NJ 07024-0349	Filed Amt: 11,011.35 s	
No: 4      Filed: 04/27/98 American Express Centurion Bank c/o Becket & Lee P.O. Box 3001 Malvern, PA 19355-0701	Filed Amt: 66.18 g	
No: 5      Filed: 05/05/98 MBNA America Bank, N.A. P.O. Box 15725 MS 1401 Wilmington, DE 19885-15725	Filed Amt: 17,540.88 g	Duplicated by 6
No: 6      Filed: 05/11/98 MBNA America Bank, N.A. P.O. Box 15725 MS 1401 Wilmington, DE 19885-15725	Filed Amt: 17,540.88 g	Duplicate of 5

IN THE UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

93 DEC 23 PM 1:31

IN RE:

JOSEPH AND HELEN WISEMAN,

DEBTORS.

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CASE NO. 98-40059

ORDER GRANTING  
MOTION TO DISBURSE EXEMPT FUNDS

EOD

DEC 29 1998

On this day came on for consideration the Motion to Disburse Exempt Funds and for cause shown, upon appropriate notice and opportunity for hearing, it is hereby

ORDERED that the Motion is granted; it is further

ORDERED that pursuant to the Motion, the Trustee is authorized to disburse \$6,765.00 to the Debtors representing their exempt interest in the real property located in Virginia heretofore sold by the Trustee.

DATE:

December 23, 1998

  
HON. DONALD R. SHARP  
U. S. BANKRUPTCY JUDGE

pd

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Mark A. Weisbart  
Texas Bar No. 21102650  
Karin A. Marshall  
Texas Bar No. 00791183  
Malouf Lynch Jackson Kessler & Collins  
700 Preston Commons West  
8117 Preston Road  
Dallas, TX 75225  
(214) 750-0722  
(214) 373-0826 (FAX)

1998 SEP 22 AM 10:08

CLERK

FILED

ATTORNEYS FOR TRUSTEE

IN THE UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

EOD

SEP 22 1998

IN RE:

HELEN WISEMAN AND

JOSEPH WISEMAN,

DEBTORS.

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CASE NO. 98-40059-DRS

CHAPTER 7

**ORDER GRANTING MOTION TO APPROVE SALE OF REAL PROPERTY AND TO  
PAY COMMISSIONS AND CLOSING COSTS**

ON THIS DAY came on for consideration the Motion to Approve Sale of Real Property and to Pay Commissions and Closing Costs (the "Motion") filed by Mark A. Weisbart, Trustee. For good cause shown, and upon appropriate notice and opportunity for hearing, the Court finds that the Motion should be granted. Wherefore it is

ORDERED that the Motion is approved; and

IT IS FURTHER ORDERED that the Purchase Agreement attached to the Motion as Exhibit

"A" is approved;

and

**ORDER GRANTING MOTION TO APPROVE SALE OF REAL PROPERTY AND TO PAY COMMISSIONS  
AND CLOSING COSTS**

Page 1

14

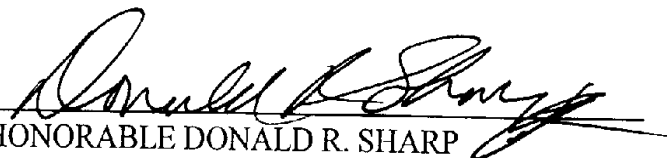
IT IS FURTHER ORDERED that the Trustee is authorized to sell the Property for a gross sales price of \$25,000.00 (the "Sale of the Property") free and clear of all liens and claims of any kind or nature including but not limited to, the claims of the creditors of the Debtor, whether secured or unsecured, priority or non-priority, whether known or unknown, with such liens and claims to attach to the sales proceeds; and

IT IS FURTHER ORDERED that the Trustee is authorized to execute all documents, including sales contracts and deeds, necessary to consummate the closing of the Sale of the Property; and

IT IS FURTHER ORDERED that the Trustee is authorized, without further order of the Court, to pay all normal closing costs, taxes (including but not limited to ad valorem taxes), and home association or condominium dues that become due upon the Sale of the Property; and

IT IS FURTHER ORDERED that the Trustee is authorized, without further order of the Court, to pay the Tilson Real Estate commission of ten percent (10%) of the purchase price, which becomes due under the Listing Agreement upon the Sale of the Property.

DATED: September 21, 1998.

  
HONORABLE DONALD R. SHARP  
UNITED STATES BANKRUPTCY JUDGE

## A. Settlement Statement

U.S. Department of Housing  
and Urban Development

OMB No. 2502-0265

## B. Type of Loan

1. ☐ FHA 2. ☐ FmHA 3. ☐ Conv. Unins. 6. File Number 7. Loan Number 8. Mortgage Insurance Case Number  
4. ☐ VA 5. ☐ Conv. Ins.

C. Note: This form is furnished to give you a statement of actual settlement costs. Amounts paid to and by the settlement agent are shown. Items marked "(p.o.c.)" were paid outside the closing; they are shown here for information purposes and are not included in the totals.

## D. Name and Address of Borrower

James C. Brady, Jr.  
Kelley Brady  
17 Legendary Lane  
Lexington, VA 24450

## E. Name and Address of Seller

Mark A. Weisbart  
Chapter 7, Trustee

## F. Name and Address of Lender

Bank of Rockbridge  
537 E. Nelson St.  
Lexington, VA 24450

## G. Property Location

Twin Oaks Subdivision, Lot 10  
Lexington, VA 24450

## H. Settlement Agent

M. G. Crawford, Esquire

## I. Settlement Date

15 S. Jefferson St.  
Lexington, VA 24450

10/2/98

## J. Summary of Borrower's Transaction

## 100. Gross Amount Due From Borrower

101. Contract sales price 25,000.00  
102. Personal property  
103. Settlement charges to borrower (line 1400) 598.60  
104. Taxes: 10/2 - 12/31/98 26.85  
105.

## Adjustments for items paid by seller in advance

106. City/town taxes to  
107. County taxes to  
108. Assessments to  
109.  
110.  
111.  
112.

120. Gross Amount Due From Borrower 25,625.45

## 200. Amounts Paid By or in Behalf of Borrower

201. Deposit or earnest money 500.00  
202. Principal amount of new loan(s) 18,750.00  
203. Existing loan(s) taken subject to  
204.  
205.  
206.  
207.  
208.  
209.

## Adjustments for items unpaid by seller

210. City/town taxes to  
211. County taxes to  
212. Assessments to  
213.  
214.  
215.  
216.  
217.  
218.  
219.

220. Total Paid By/For Borrower 19,250.00

## 300. Cash At Settlement From/To Borrower

301. Gross Amount due from borrower (line 120) 25,625.45  
302. Less amounts paid by/for borrower (line 220) 19,250.00

303. Cash ☒ From ☐ To Borrower 6,375.45

## K. Summary of Seller's Transaction

## 400. Gross Amount Due To Seller

401. Contract sales price 25,000.00  
402. Personal property  
403.  
404.  
405.

## Adjustments for items paid by seller in advance

406. City/town taxes to  
407. County taxes to  
408. Assessments to  
409.  
410.  
411.  
412.

420. Gross Amount Due To Seller 25,000.00

## 500. Reductions in Amount Due To Seller

501. Excess deposit (see instructions)  
502. Settlement charges to seller (line 1400) 2,541.00  
503. Existing loan(s) taken subject to  
504. Payoff of first mortgage loan  
505. Payoff of second mortgage loan  
506.  
507.  
508.  
509.

## Adjustments for items unpaid by seller

510. City/town taxes to  
511. County taxes 7/1 to 10/2 28.05  
512. Assessments to  
513.  
514.  
515.  
516.  
517.  
518.  
519.

520. Total Reduction Amount Due Seller 2,569.05

## 600. Cash At Settlement To/From Seller

601. Gross amount due to Seller (line 420) 25,000.00  
602. Less reductions in amt. due seller (line 520) 2,569.05

603. Cash ☒ To ☐ From Seller 22,430.95

# **L. Settlement Charges**

700. Total Sales/Broker's Commission based on price \$ 25,000 @ 10 % =				Paid From	Paid From
Division of Commission (line 700) as follows:				Borrower's	Seller's
701. \$ 2,500.00	to	Tilson Real Estate	Funds at	Funds at	
702. \$	to		Settlement	Settlement	
703. Commission paid at Settlement					2,500.00
704.					
800. Items Payable in Connection With Loan					
801. Loan Origination Fee	%				
802. Loan Discount	%				
803. Appraisal Fee	to				
804. Credit Report	to				
805. Lender's Inspection Fee					
806. Mortgage Insurance Application Fee to					
807. Assumption Fee					
808. Application Fee:			125.00		
809.					
810.					
811.					
900. Items Required By Lender To Be Paid in Advance					
901. Interest from	to	@ \$	/day		
902. Mortgage Insurance Premium for			months to		
903. Hazard Insurance Premium for			years to		
904.			years to		
905.					
1000. Reserves Deposited With Lender					
1001. Hazard Insurance	months @ \$		per month		
1002. Mortgage Insurance	months @ \$		per month		
1003. City property taxes	months @ \$		per month		
1004. County property taxes	months @ \$		per month		
1005. Annual assessments	months @ \$		per month		
1006.	months @ \$		per month		
1007.	months @ \$		per month		
1008.	months @ \$		per month		
1100. Title Charges					
1101. Settlement or closing fee	to				
1102. Abstract or title search	to				
1103. Title examination	to				
1104. Title insurance binder	to				
1105. Document preparation	to				
1106. Notary fees	to				
1107. Attorney's fees	to	Malcolm G. Crawford		350.00	
(includes above items numbers: )					
1108. Title Insurance	to				
(includes above items numbers: )					
1109. Lender's coverage	\$				
1110. Owner's coverage	\$				
1111.					
1112.					
1113.					
1200. Government Recording and Transfer Charges					
1201. Recording fees: Deed \$ 17.00 ; Mortgage \$ 19.00 ; Releases \$				36.00	
1202. City/county tax/stamps: Deed \$ 12.50 ; Mortgage \$ 9.40				21.90	
1203. State tax/stamps: Deed \$ 37.50 ; Mortgage \$ 28.20				65.70	
1204. Grantor's Tax:					25.00
1205. Recording Fee: Bankruptcy Order:					16.00
1300. Additional Settlement Charges					
1301. Survey	to				
1302. Pest inspection	to				
1303.					
1304.					
1305.					
1400. Total Settlement Charges (enter on lines 103, Section J and 502, Section K)				598.60	2,541.00

I have carefully reviewed the HUD-1 Settlement Statement and to the best of my knowledge and belief, it is a true and accurate statement of all receipts and disbursements made on my account or by me in this transaction. I further certify that I have received a copy of HUD-1 Settlement Statement.

Borrowers:

Sellers:

The HUD-1 Settlement Statement which I have prepared is a true and accurate account of this transaction. I have caused or will cause the funds to be disbursed in accordance with this statement.

Settlement Agent

Date

**WARNING:** It is a crime to knowingly make false statements to the United States on this or any other similar form. Penalties upon conviction can include a fine or imprisonment. For details see, Title 18 U.S. Code Section 1001 and Section 1010.



**UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

IN RE:  
WISEMAN, JOSEPH AND HELEN,

DEBTORS

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CASE NO. 98-40059 DRS  
CHAPTER 7

**TRUSTEE'S REPORT OF PROPOSED FINAL DISTRIBUTIONS**

The undersigned Trustee of the estate hereby submits to the Court and to the United States Trustee this Report of Proposed Final Distributions.

1. The Court has entered orders which have become final, and which dispose of all objections to claims, all objections to the Trustee's Final Report, all Applications for Compensation, and all other matters which must be determined by the Court before final distribution can be made.
2. The Trustee proposes to make final distribution of the funds of the estate as follows, and will make such distribution unless written objection thereto is made, filed and served on the Trustee and on the United States Trustee.

1.	BALANCE ON HAND		\$15,969.81
2.	ADMINISTRATIVE EXPENSES TO BE PAID *(NOTE)	\$2,864.65	
3.	SECURED CLAIMS TO BE PAID *(NOTE)	\$0.00	
4.	PRIORITY CLAIMS TO BE PAID *(NOTE)	\$ 0.00	
5.	UNSECURED CLAIMS TO BE PAID *(NOTE)	\$ 13,105.16	
6.	OTHER DISTRIBUTIONS TO BE PAID *(NOTE)	\$0.00	
7.	TOTAL DISTRIBUTIONS TO BE MADE (SUM OF LINES 2 THROUGH 6)		\$15,969.81
8.	ZERO BALANCE AFTER ALL DISTRIBUTIONS (LINE 1 LESS LINE 7)		\$0.00

\*(SEE ATTACHED SCHEDULE OF PAYEES AND AMOUNTS)

Date: 8-20, 1999.

  
MARK A. WEISBART, CHAPTER 7 TRUSTEE

# PROPOSED DISTRIBUTION

Case Number: 98-40059

Page 1

Date: August 19, 1999

Debtor Name: Wiseman, Helen Forrest \ Wiseman, Joseph Lacy

Claim #	Payee Name	Class	Priority	Amt Claimed * Amt Allowed	Paid to Date	Claim Balance	Proposed Pymt	Funds Remaining
Beginning Balance								\$15,969.81
<b>Claim Type -</b>								
	Mark A. Weisbart, Trustee - Fees	Admin		\$2,603.89 *	\$0.00	\$2,603.89	\$2,603.89	\$13,365.92
	COMPENSATION			\$2,603.89				
	Mark A. Weisbart, Trustee - Exp	Admin		\$260.76 *	\$0.00	\$260.76	\$260.76	\$13,105.16
	EXPENSES			\$260.76				
<b>Subtotal For Claim Type</b>				\$2,864.65 *	\$0.00	\$2,864.65	\$2,864.65	
				\$2,864.65				
Subtotals For Class Administrative				\$2,864.65 *	\$0.00	\$2,864.65	\$2,864.65	
				\$2,864.65				
<b>Claim Type 400 - General Unsecured Claims</b>								
1	CHASE MANHATTAN BANK	Unsec	400	\$12,030.78 *	\$0.00	\$12,030.78	\$3,791.13	\$9,314.03
	U.S.A.			\$12,030.78				
2	NATIONSBANK OF	Unsec	400	\$11,950.11 *	\$0.00	\$11,950.11	\$3,765.71	\$5,548.32
	DELAWARE N.A.			\$11,950.11				
4	AMERICAN EXPRESS	Unsec	400	\$66.18 *	\$0.00	\$66.18	\$20.85	\$5,527.47
	CENTURION BANK			\$66.18				
6	MBNA AMERICA BANK, N.A.	Unsec	400	\$17,540.88 *	\$0.00	\$17,540.88	\$5,527.47	\$0.00
				\$17,540.88				
<b>Subtotal For Claim Type 400</b>				\$41,587.95 *	\$0.00	\$41,587.95	\$13,105.16	
				\$41,587.95				
Subtotals For Class Unsecured				\$41,587.95 *	\$0.00	\$41,587.95	\$13,105.16	
				\$41,587.95				
<< Totals >>				\$44,452.60	\$0.00	\$44,452.60	\$15,969.81	\$0.00
				\$44,452.60				

Proposed distribution is dependent on the Court's rulings on administrative expenses, contest of claims, and/or objections made to this proposed distribution.

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

IN RE: HELEN & JOSEPH WISEMAN / BANKRUPTCY CASE: 98-40059  
/  
/ CHAPTER 7

**NOTICE OF FILING OF FINAL REPORT OF TRUSTEE.  
APPLICATION FOR COMPENSATION AND PROPOSED DISTRIBUTIONS**

NOTICE IS GIVEN that the Trustee's Final Report and Account, report of Proposed Final Distribution and Applications for Compensation have been filed. These documents are available for public inspection at the office of the Bankruptcy Clerk, 200 E. Ferguson, Tyler, Texas 75702, or at the trustee's office whose name and address is as follows:

MARK WEISBART 8117 PRESTON RD. DALLAS, TX 75225

The following Applications for Compensation have been filed:

<u>Applicants</u>	<u>Fees Requested</u>	<u>Expenses Requested</u>
<u>MARK WEISBART</u>	<u>2603.89</u>	<u>260.76</u>
Trustee	<u>                    </u>	<u>                    </u>
Attorney for Trustee	<u>                    </u>	<u>                    </u>
<u>U. S. Bankruptcy Court</u>	<u>0.00</u>	<u>                    </u>

The trustee's account shows:

<u>Total Receipts</u>	<u>Total Disbursements</u>	<u>Balance</u>
<u>\$ 25303.86</u>	<u>\$ 9334.05</u>	<u>\$ 15969.81</u>

In addition to the commissions and fees that may be allowed by the Court, liens and priority claims which must be paid in advance of general creditors have been allowed in the total amount of \$ 0.00 ; general unsecured claims have been allowed in the amount of \$ 41587.95 .  
The debtor has/has not been discharged.

Written objections to the Final Report, Application for Compensation and/or proposed Distributions must be filed with the Clerk of the Court and served on the trustee at the above mentioned address within 30 days from the date of this notice. If no objections are filed, the Court may consider the Report and Applications without hearing. If objections are filed, a hearing will be held on \_\_\_\_\_

at \_\_\_\_\_

Date: \_\_\_\_\_

**JAMES D. TOKOPH**, Clerk of Court

By: \_\_\_\_\_  
Deputy Clerk